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| 09/841,957 | 04/25/2001 | Isao Kawashima | 450100-03176 | 6050 |
| 20999 | 7590 | 03/07/2005 | EXAMINER | |
| FROMMERM LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151 | | | PESIN, BORIS M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2174 | |

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------|------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/841,957 | KAWASHIMA ET AL. | |
| | Examiner Boris Pesin | Art Unit 2174 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 September 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20,24-27,29,30,32,33,35,38,39 and 41-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20,24-27,29,30,32,33,35,38,39 and 41-43 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 09/17/2004.

Claims 1-20, 24-27, 29, 30, 32, 33, 35, 38, 39 and 41-43 are pending in this application. Claims 1, 9, 13, 17, 24, 29, 30, 32, 33, 35, 38, 39, 41, 42, and 43 are independent claims. In the amendment, claims 1-20, 24-27, 29, 30, 32, 33, 35, 38, and 39 were amended and claims 40, 41, and 42 were added as new. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Specification

The disclosure is objected to because of the following informalities:

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are:

Paragraph 0006 –“Accordingly when browsing a web page with plural users such as family of friends by displaying on a single display, one of these plural users operates the mouse as a representative.”

Paragraph 0007 – “However, when browsing a web page with plural users, it is convenient if each user can operate each cursor and selects a desired web page. And if a web page is competed among users, a web page to be accessed next is preferably decided by some adjustment such as a majority decision. Such sharing of information by the plural users are very convenient.”

Paragraph 0026 – “When an user clicks such link part using a mouse or another pointing device for controlling the cursor, then the user terminal 1 as a WWW browser transmits an URL (Uniform Resource Locator) address of other web page linked to the link part to the Internet 2.”

These are just a few examples from the specification where there are grammatical errors. This is by no means an exhaustive list of all errors in the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 29 and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Perälä (US 5917472).

In regards to claim 29, Perälä teaches a method for controlling a display of information, the method comprising the steps of: presenting cursor information related to a plurality of cursors, each of which is controlled as a function of operation signals associated with each cursor (column 4, lines 18-28); utilizing a first cursor to designate content (column 4, lines 18-22); utilizing a second cursor to designate content (column 4, lines 18-22); acquiring cursor information for at least two cursors related to at least two associated terminal devices (column 4, lines 18-57); and displaying the content on one of the terminal devices as a function of said cursor information (column 4, lines 18-57).

Claim 38 is similar in scope to claim 29, and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-20, 24-27, 30, 32, 33, 35, 39 and 41-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Perälä (US 5917472) in view of Kirk et al. (US 6175842).

In regards to claim 1, Perälä teaches a display control apparatus for controlling display of information comprising: display control means for displaying linking information, that is linked to content information (Column 4, Line 31), and displaying a plurality of cursors operating on one or more display devices (Column 4, Line 34-42); selecting means for selecting at least a portion of said content information as a function of a corresponding designation by at least two of said plurality of cursors (Column 4, Line 42-45). Perälä does not teach an apparatus comprising an acquisition means for acquiring said selected content information as a function of the at least two cursors. Kirk teaches, "*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*" Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Perälä with the teachings of Kirk and include a method of decision making based on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 2, which is dependent on claim 1, Perälä teaches that the display control means displays said selected content information on said display device (column 2, lines 33-57, *i.e. – clicking on information to acquire information*).

As per claim 3, which is dependent on claim 1, Perälä teaches operation means adapted to generate operation signals to operate each of the plurality of cursors (column 1-2, lines 63-5), wherein said display control means displays, on said display device, each of the plurality of cursors, as a function of said operation signals (column 2, lines 33-57).

As per claim 4, which is dependent on claim 1, Perälä teaches that the display control means is adapted to uniquely display each of said plurality of cursors (column 2, lines 45-48).

As per claim 5, which is dependent on claim 1, Perälä does not teach a display controller apparatus wherein said selecting means selects at least a portion of the content information based on the number of cursors designating said content information. Kirk teaches, “*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*” Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to Modify Perälä with the teachings of Kirk and include a method of decision making based

on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 6, which is dependent on claim 1, Perälä does not teach a display controller apparatus wherein said linking information is described using a language for a predetermined image. Kirk teaches, “*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*” Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to Modify Perälä with the teachings of Kirk and include a method of decision making based on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 7, which is dependent on claim 1, Perälä teaches that the acquisition means acquires additional information from a network (column 4, lines 31-33, *i.e. – a network application acquires remote information*).

As per claim 8, which is dependent on claim 1, Perälä teaches that the acquisition means is a browser (column 4, lines 31-33, *i.e. – a browser is a network application*).

In regards to claim 9, Perälä teaches a display control apparatus comprising: a display control means for displaying on a display a plurality of cursors and displaying first information linked to second information (columns 1-2, lines 63-9); and acquisition

means for acquiring the selected second information (column 2, lines 33-57). Perälä does not explicitly disclose a first memory means for storing a plurality of cursors. However this feature is inherent in Perälä. Perälä does not teach selecting means for selecting at least a portion of the second information, as a function of a corresponding position designated by at least two of said plurality of cursors. Kirk teaches, "*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*" Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to Modify Perälä with the teachings of Kirk and include a method of decision making based on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 10, which is dependent on claim 9, Perälä does not explicitly disclose second memory means for storing the plurality of cursors stored in first memory means, wherein said display control means superposes the plurality of cursors on said selected second information. However, Perälä does teach the use of a plurality of terminals (column 2, line 2, *i.e. – respective display means*). The use of a plurality of terminals implies that there is a plurality of memories for storing cursor information. Furthermore, Official Notice is given that the use of a plurality of memories to store information is well known in the art and is a detail of implementation. Therefore, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to store cursor information in more than one memory means with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

As per claim 11, which is dependent on claim 10, the modified Perälä teaches that the selecting means selects at least a portion of the second information as a function of each position of said plurality of cursors stores in said second memory means (column 4, lines 18-21).

As per claim 12, which is dependent on claim 10, Perälä does not explicitly disclose a first writing means for writing each of the plurality of cursors into a corresponding one of said first memory means as a function of a corresponding operational signal; and a second writing means for writing each of the plurality of cursors stored in said first memory means to said second memory means. Official Notice is given that writing information to multiple memories is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to store cursor information in more than one memory means with the motivation to increase the efficiency and decrease the latency of displaying multiple cursors.

In regards to claim 13, Perälä teaches a display control apparatus comprising: cursor information acquiring means for acquiring cursor information, indicative of a plurality of cursors operating at a plurality of terminal devices (inherent and column 4, lines 18-21); memory means for storing the cursor information (inherent); cursor

information presenting means for presenting the cursor information to one or more associate terminal devices that are adapted to display one or more of the plurality of cursors (column 4, lines 18-57). Perälä does not teach selecting means for selecting additional information that is linked to designated information designated by at least two of said plurality of cursors; and acquisition means for acquiring the selected additional information as a function of the cursor information for the at least two cursors. Kirk teaches, "*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*" Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Perälä with the teachings of Kirk and include a method of decision making based on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 15, which is dependent on claim 14, the modified Perälä teaches a display control means for displaying one or more of the plurality of cursors by superposing the cursor information on said selected additional information (column 2, lines 33-57).

In regards to claim 17, Perälä teaches a display control apparatus comprising: Cursor information acquisition means for acquiring cursor information for a plurality of cursors operating at a plurality of terminal devices (Column 4-5, Lines 66-10); cursor

information presenting means for presenting said cursor information to associated terminal devices to display said plural cursors (Column 4, Lines 52-57); selecting means for selecting at least a portion of content information that is linked to linking information, wherein the linking information is displayed together with said at least two plural cursors (Column 4, Lines 19-21 and Line 44); and acquisition means for acquiring the selected information (Column 4, Lines 19-21 and Line 44). Perälä does not teach a system where the linking information is designated by at least two cursors. Kirk teaches, "*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*" Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to Modify Perälä with the teachings of Kirk and include a method of decision making based on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 18, which is dependent on claim 17, Perälä teaches a display control apparatus further comprising display control means for controlling display of the selected information at one or more of said terminal devices. (columns 1-2, lines 63-5).

As per claim 19, which is dependent on claim 17, the teachings of Perälä in regards to claim 17 have been discussed above. Perälä does not explicitly disclose that

the plurality of terminal devices are mutually connected by way of a predetermined network; said cursor information acquisition means acquires said cursor information through said network; and said cursor information presenting means presents said cursor information through said network.

However, Perälä does teach the use of a plurality of terminals (column 2, line 2, *i.e. – respective display means*). Official notice is given that connecting terminals using a network and transferring information across a network to connect computers is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Perälä with a means to connect terminals in a network; said cursor information acquisition means acquires said cursor information through said network; and said cursor information presenting means presents said cursor information through said network with the motivation to allow users to communicate regardless of their physical proximity.

As per claim 20, which is dependent on claim 17, Perälä teaches that the acquisition control means commands one or more of said plurality of terminal devices to acquire said selected information by providing command information to an associated one or more of the plurality of terminal devices (column 2, lines 33-57).

In regards to claim 24, Perälä teaches a display control apparatus comprising: cursor information presenting means for presenting cursor information related to a plurality of cursors; each cursor being controlled by operation signals transmitted from operation means for operating the cursors to a managing means for managing said cursor information (columns 1-2, lines 63-9); cursor information acquisition means for

acquiring said cursor information (column 2, lines 33-57); display control means for displaying, on a display, said plurality of cursors based on said cursor information acquired by said cursor information acquisition means (column 2, lines 33-57). Perälä does not teach selecting means for selecting content as a function of cursor information for at least two cursors; and accessing means for accessing the selected content as a function of the at least two cursors. Kirk teaches, "*Yet another advantageous group feature of the present invention is that group followers can collaboratively decide where to proceed next (which hypertext file to request next) by voting. A follower or the leader proposes a list of next hypertext files or links to select, and each follower votes on which to select. In one embodiment, each follower selects a single file or link.*" Column 11, Line 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to Modify Perälä with the teachings of Kirk and include a method of decision making based on multiple responses with the motivation to provide the users with a convenient method of deciding what subsequent actions should be taken.

As per claim 25, which is dependent on claim 24, Perälä teaches that the managing means comprises an information acquisition means for acquiring information based on a position designated by each cursor corresponding to said cursor information for one or more terminal devices (column 4, lines 18-21).

As per claim 26, which is dependent on claim 25, Perälä teaches that the managing means provides command information for acquiring said information based on a position designated by each cursor; wherein said information acquisition means acquires said information (column 4, lines 18-21 and column 2, lines 33-57).

Claim 14 is similar in scope to claim 10, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 12, and is therefore rejected under similar rationale.

Claim 27 is similar in scope to claim 19, and is therefore rejected under similar rationale.

Claims 30 and 39 are similar in scope to claim 13 and are therefore rejected under similar rationale

Claims 32 and 35 are similar in scope to claim 1 and are therefore rejected under similar rationale.

Claim 33 is similar in scope to claim 17 and is therefore rejected under similar rationale.

Claim 41 is similar in scope to claim 1, and is therefore rejected under similar rationale.

Claim 42 is similar in scope to claim 13, and is therefore rejected under similar rationale.

Claim 43 is similar in scope to claim 24, and is therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments with respect to claims 1-20, 24-27, 29, 30, 32, 33, 35, 38, 39 and 41-43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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